THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17474 of 2007

Dated:20.08.2007

Between:

Motha Lalitha Kumari, W/o.Venue Gopalam

…Petitioner

and

The Mandal Revenue Officer (Tahasildar),
Raja Nagaram Mandal, East Godavari District,
and others.

…Respondents

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ORDER:

The petitioner purchased an extent of Acs.5.00 of land in Survey No.348/1 situated at Sampath Nagar, Konda Gunturu Village of Rajanagaram Mandal in East Godavari District, under a registered sale deed dated 12.01.2006. It is her case that the first respondent asked her on 16.07.2007 to vacate the premises and started flattening the land with earthmovers. She then approached the District Collector for redressal, who appears to have endorsed on the same that her complaint be looked into. The work was, therefore, stopped by the first respondent. Again thereafter, work is going on. Therefore, the petitioner is before this Court seeking a direction to the first respondent not to dispossess her without due process of law.

After hearing the learned Counsel for the petitioner and perusing the affidavit accompanying the Writ Petition as well as the material papers annexed thereto, this Court is convinced that the Writ Petition is filed on a mere apprehension. Recently, the Collector also endorsed on her representation that the first respondent should look into the same. Therefore, the apprehension is misconceived. This Court, however, observes that if the land purchased by the petitioner, as alleged, is not assigned land, the first respondent should take necessary action only after issuing notice to her. In case it is assigned land, needless to say, the procedure contemplated under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977, should be followed.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

20.08.2007

Note: Issue C.C in one week.

B/o.

vs